

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54598 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -KHUSRUPUR District- PATNA

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1. Anish Kumar Yadav @ Ajit Kumar Yadav @ Anish Kumar S/o
Vishambhar Prasad, R/o Village- Chaki, P.S.- Brahampur, District- Baxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.54575 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -KHUSRUPUR District- PATNA

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SACHIN KUMAR @ VIKKY, son of Dhirendra Singh, resident of village-
Siranama P.S.-Vena, District-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.54598 of 2017)

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

(In Cr.Misc. No.54575 of 2017)

For the Petitioner/s : Mr. Bishwajeet Pandey

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2017 Both the cases are being heard and are disposed of by a

common order arising out of Special Case No. 101 of 2017

(Khusrupur P.S. Case No. 139 of 2017) under Sections 399, 402,

353, 307, 414 of the Indian Penal Code as well as under various

sections of Arms Act and under Sections 20/22 of the N.D.P.S.

Act.



Heard learned counsel for the petitioners.

These are applications for bail in connection with Special Case No. 101 of 207 (Khusrupur P.S. Case No. 139 of 2017) under Sections 399, 402, 353, 307, 414 of the Indian Penal Code, Sections 25(1-b)a, 26, 27, 35 of the Arms Act and Sections 20/22 of the N.D.P.S. Act.

Allegation is of recovery of ganja, charas and fire arms from the possession of the accused persons.

Submission of learned counsel for the petitioners is that the petitioner namely Sachin Kumar has accused in another case bearing Bena P.S. Case No. 244 of 2016. He has been falsely implicated in this case and he is in custody since 20.07.2017. It has also been submitted that he is a student of the collage and his examination is likely to be held on 20th December, 2017. So far as the petitioner namely, Anish Kumar Yadav is concerned that he has been falsely implicated in this case and there is no recovery from his possession. He has clean antecedent and he is in custody since 20.07.2017

Heard learned APP also.

Having heard both sides and in view of facts and circumstances, as stated above, I am not inclined to grant bail to the petitioners at this stage. Accordingly, this application is



dismissed. Learned trial court is directed to expedite their trial.

It is made clear that if the prayer for provisional bail has been filed by the petitioner, Sachin Kumar, annexing his admit card and examination date before the lower court, that shall be considered by court concerned, and it will be seen that accused may appear in examination.

(Vinod Kumar Sinha, J)

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